

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**LISTING OF CLAIMS:**

1. (Currently Amended): A toner comprising a binder resin, a colorant and an infrared absorbing agent, wherein  $\tan\delta$  (loss elastic modulus  $G''$ /storage elastic modulus  $G'$ ) of the toner at 120°C is in the range of 3 to 6,

the binder resin comprises a first polyester resin, or a first polyester resin and a second polyester resin, a weight ratio between the first polyester resin and the second polyester resin being in the range of 10:0 to 6:4, and

glass transition points of the first and second polyester resins are in the range of 50 to 75°C.

2. (Currently Amended): [[A]] The toner of Claim 1, wherein a storage elastic modulus  $G'$  at 120°C of the toner is not less than  $1 \times 10^2$  (Pa).

3. (Currently Amended): [[A]] The toner of Claim 1, wherein an average degree of roundness of the toner is not less than 0.940.

4. (Currently Amended): [[A]] The toner of Claim 1, comprising inorganic particles having an average primary particle size of 5 to 50 nm and toner particles comprising the binder resin, the colorant and the infrared absorbing agent.

5. (Currently Amended): [[A]] The toner of Claim 4, wherein a content of the inorganic ~~fine~~ particles is 0.2 to 3 parts by weight with respect to 100 parts by weight of toner particles.

6. (Currently Amended): [[A]] The toner of Claim 4, wherein the inorganic ~~fine~~ particles are hydrophobic silica and titanium oxide.

7. (Canceled)

8. (Currently Amended): [[A]] The toner of Claim [[7]] 1, wherein the first polyester resin has a weight-average molecular weight of 7,000 to 30,000 and the second polyester resin has a weight-average molecular weight of 30,000 to 250,000.

9. (Currently Amended): [[A]] The toner of Claim [[7]] 1, wherein the first polyester resin contains a crystalline monomer and the second polyester resin does not contain a crystalline monomer.

10. (Currently Amended): [[A]] The toner of Claim [[7]] 1, wherein a softening point of the first polyester resin is in the range of 90-110°C, and a softening point of the second polyester resin is in the range of 120-150°C.

11. (Canceled)

12. (Canceled)

13. (Currently Amended): A[[A]] The toner of Claim 1, wherein a content of the IR absorbing agent is set to 0.1 to 1 part by weight with respect to 100 parts by weight of the binder resin.

14. (Currently Amended): [[A]] The toner of Claim 1, further comprising a first wax and a second wax, the first wax having a fusing point of 62 to 95°C, and the second wax having a fusing point of 100 to 150°C.

15. (Currently Amended): [[A]] The toner of Claim 1, further comprising a wax, a content of the wax being 0.5 to 5 parts by weight with respect to 100 parts by weight of the binder resin.

16. (Currently Amended): [[A]] The toner of Claim 1, further comprising a first wax and a second wax, the first wax being a synthetic ester wax and the second wax being a polyolefin wax.

17. (Currently Amended): [[A]] The toner of Claim 1, further comprising strontium titanate.

Claims 18 – 22 (Canceled).

23. (New): A toner comprising a binder resin, a colorant, an infrared absorbing agent, and a first wax and a second wax, the first wax having a fusing point of 62 to 95°C, and the

second wax having a fusing point of 100 to 150°C, where  $\tan \delta$  (loss of elastic modulus  $G''$ /storage elastic modulus  $G'$ ) of the toner at 120°C is in the range of 3 to 6

24. (New): The toner of claim 23, wherein a storage elastic modulus  $G'$  at 120°C of the toner is not less than  $1 \times 10^2$  (Pa).

25. (New): The toner of claim 23, wherein an average degree of roundness of the toner is not less than 0.940.

26. (New): The toner of claim 23, comprising inorganic particles having an average primary particle size of 5 to 50 nm and toner particles comprising the binder resin, the colorant, and the infrared absorbing agent, and wherein a content of the inorganic particles is 0.2 to 3 parts by weight with respect to 100 parts by weight of toner particles.

27. (New): The toner of claim 23, wherein the binder resin comprises a first polyester resin, or a first polyester resin and a second polyester resin, a weight ratio between the first polyester resin and the second polyester resin being in the range of 10:0 to 6.4.

28. (New): The toner of claim 27, wherein a content of the IR absorbing agent is set to 0.1 to 1 part by weight with respect to 100 parts by weight of the binder resin.

29. (New): The toner of claim 27, wherein the first polyester resin has a weight-average molecular weight of 7,000 to 30,000 and the second polyester resin has a weight-average molecular weight of 30,000 to 250,000.

30. (New): A toner comprising a binder resin, a colorant, a synthetic ester wax, a polyolefin wax and an infrared absorbing agent, wherein  $\tan \delta$  (loss elastic modulus  $G''$ /storage elastic modulus  $G'$ ) of the toner at 120°C is in the range of 3 to 6.

31. (New): The toner of claim 30, wherein the binder resin comprises a first polyester resin, or a first polyester resin and a second polyester resin, a weight ratio between the first polyester resin and the second polyester resin being in the range of 10:0 to 6:4.

32. (New): The toner of claim 30, wherein the first polyester resin has a weight-average molecular weight of 7,000 to 30,000 and the second polyester resin has a weight-average molecular weight of 30,000 to 250,000.

33. (New): The toner of claim 30, wherein a storage elastic modulus  $G'$  at 120°C of the toner is not less than  $1 \times 10^2$  (Pa).

34. (New): The toner of claim 30, wherein an average degree of roundness of the toner is not less than 0.940.

35. (New): The toner of claim 30, comprising inorganic particles having an average primary particle size of 5 to 50 nm and toner particles comprising the binder resin, the colorant and the infrared absorbing agent, wherein a content of the inorganic particles is 0.2 to 3 parts by weight with respect to 100 parts by weight of toner particles.

36. (New): The toner of claim 30, wherein a content of the IR absorbing agent is set to 0.1 to 1 part by weight with respect to 100 parts by weight of the binder resin.